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August 9th, 2024

VIA CERTIFIED MAIL
RETURN RECEIPT
AND REGULAR U.S. MAIL

Mr. Salvatore Lantieri
and J L M S Holdings, Inc
5708 NW 56th Manor
Coral Springs FL 33067

RE: *David Phillips, Joseph T. Azzata, and Joseph J. Azzata vs. Prime Medical Supplies, Inc, a Florida Corporation, Louis Sitaras, individually, JLMS Holdings, LLC, a Florida Corporation, and Salvatore Lantieri*

Dear Mr. Lantieri:

Enclosed please find the following:

1. Motion for Entry of Clerk's Default as to Defendant, Salvatore Lantieri
2. Motion for Entry of Clerk's Default as to Defendant, JLMS, Holdings, LLC
3. Clerk's Default as to Defendants, Salvatore Lantieri and JLMS Holdings, LLC

Thank you for your attention to this matter.

Sincerely,

/s/: Steven L. Ehrlich

Steven L. Ehrlich

Enc: as stated

Cole, Scott & Kissane
www.csklegal.com

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

CASE NO.: 9:24-cv-80760-XXXX

DAVID A. PHILLIPS, JOSPEPH J.
AZZATA, JOSEPH T. AZZATA, and
other similarly situated individuals,

Plaintiff(s),

vs.

PRIME MEDICAL SUPPLIES, INC.,
a Florida Corporation, and,
LOUIS SITARAS, individually.
JLMS HOLDINGS, LLC, a Florida
Corporation, and SALVATORE LANTIERI,

MOTION FOR ENTRY OF CLERK'S DEFAULT AGAINST DEFENDANT,
SALVATORE LANTIERI

The undersigned counsel, on behalf of Plaintiffs, DAVID A. PHILLIPS,
JOSPEPH J. AZZATA, JOSEPH T. AZZATA, and other similarly situated individuals,
hereby moves for entry of a Clerk's default as to Defendant, SALVATORE LANTIERI,
(hereinafter "LANTIERI") upon the Complaint heretofore filed and served upon the
Defendant, LANTIERI, in accordance with the provisions of Rule 55(b)(1), Federal
Rules of Civil Procedure, and in support thereof states the following.

1. On June 21st, 2024, Plaintiffs filed in the United States District Court, Southern
District of Florida, West Palm Beach Division, a Complaint to recover money damages
for unpaid wages under the laws of the United States. pursuant to the Fair Labor
Standards Act, 29 U.S.C. § 201-219.

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CASE NO.: 1:17-cv-23289

2. On July 16th, 2024, a copy of said Complaint and a Summons in a Civil Action were served upon Defendant, LANTIERI. (A copy of the Affidavit and Return of Service is attached hereto as Exhibit "A" and is incorporated herein by reference.)

3. On August 6th, 2024, twenty days (21), elapsed since the service of said Complaint and Summons upon defendant, LANTIERI, and no Answer or Response thereto has been served.

4. Defendant has failed to plead or otherwise defend this action, and Plaintiff is entitled to entry of a Clerk's default against the Defendant, LANTIERI.

WHEREFORE, Plaintiffs pray that a Clerk's Default be entered against Defendant, SALVATORE LANTIERI

AFFIDAVIT

We, Steven L. Ehrlich and Franklin L. Jara, do hereby certify that the statements and allegations set forth in the foregoing Motion are true and accurate to the best of our knowledge and belief.

Respectfully submitted,

COLE, SCOTT & KISSANE, P.A.
Counsel for Plaintiffs, DAVID A. PHILLIPS,
JOSPEPH J. AZZATA, JOSEPH T. AZZATA, and
other similarly situated individuals,
Cole, Scott & Kissane Building
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CASE NO.: 1:17-cv-23289

s/ Steven L. Ehrlich
STEVEN L. ERHLICH
Florida Bar No: 91409
FRANKLIN JARA
Florida Bar No.: 636681

[Certificate of service on next page]

CASE NO.: 1:17-cv-23289

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this ____ day of August, 2024, a true and correct copy of the foregoing has been furnished by electronic filing with the Clerk of the court via CM/ECF, which will send notice of electronic filing to all counsel of record.

COLE, SCOTT & KISSANE, P.A.
*Counsel for Plaintiffs, DAVID A. PHILLIPS,
JOSPEPH J. AZZATA, JOSEPH T. AZZATA,
and other similarly situated individuals,*
Cole, Scott & Kissane Building
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By: s/ Steven L. Ehrlich
STEVEN L. ERHLICH
Florida Bar No: 91409
FRANKLIN JARA
Florida Bar No.: 636681

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

CASE NO.: 9:24-cv-80760-XXXX

DAVID A. PHILLIPS, JOSPEPH J.
AZZATA, JOSEPH T. AZZATA, and
other similarly situated individuals,

Plaintiff(s),

vs.

PRIME MEDICAL SUPPLIES, INC.,
a Florida Corporation, and,
LOUIS SITARAS, individually.
JLMS HOLDINGS, LLC, a Florida
Corporation, and SALVTORE LANTIERI,

MOTION FOR ENTRY OF CLERK'S DEFAULT AGAINST DEFENDANT,
JLMS HOLDINGS, LLC

The undersigned counsel, on behalf of Plaintiffs, DAVID A. PHILLIPS,
JOSPEPH J. AZZATA, JOSEPH T. AZZATA, and other similarly situated individuals,
hereby moves for entry of a Clerk's default as to Defendant, JLMS HOLDINGS, LLC, a
Florida Corporation (hereinafter "JLMS") upon the Complaint heretofore filed and served
upon the Defendant, JLMS, in accordance with the provisions of Rule 55(b)(1), Federal
Rules of Civil Procedure, and in support thereof states the following.

1. On June 21st, 2024, Plaintiffs filed in the United States District Court, Southern
District of Florida, West Palm Beach Division, a Complaint to recover money damages
for unpaid wages under the laws of the United States. pursuant to the Fair Labor
Standards Act, 29 U.S.C. § 201-219.

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CASE NO.: 1:17-cv-23289

2. On July 16th, 2024, a copy of said Complaint and a Summons in a Civil Action were served upon Defendant, JLMS. (A copy of the Affidavit and Return of Service is attached hereto as Exhibit "A" and is incorporated herein by reference.)
3. On August 6th, 2024, twenty days (21), elapsed since the service of said Complaint and Summons upon defendant, JLMS, and no Answer or Response thereto has been served.
4. Defendant has failed to plead or otherwise defend this action, and Plaintiff is entitled to entry of a Clerk's default against the Defendant, JLMS

WHEREFORE, Plaintiffs pray that a Clerk's Default be entered against Defendant, JLMS HOLDINGS, LLC, a Florida Corporation.

AFFIDAVIT

We, Steven L. Ehrlich and Franklin L. Jara, do hereby certify that the statements and allegations set forth in the foregoing Motion are true and accurate to the best of our knowledge and belief.

Respectfully submitted,

COLE, SCOTT & KISSANE, P.A.
Counsel for Plaintiffs, DAVID A. PHILLIPS,
JOSPEPH J. AZZATA, JOSEPH T. AZZATA, and
other similarly situated individuals,
Cole, Scott & Kissane Building
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paola.valdes@cskelgal.com

CASE NO.: 1:17-cv-23289

s/ Steven L. Ehrlich
STEVEN L. ERHLICH
Florida Bar No: 91409
FRANKLIN JARA
Florida Bar No.: 636681

[Certificate of service on next page]

CASE NO.: 1:17-cv-23289

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8TH day of August, 2024, a true and correct copy of the foregoing has been furnished by electronic filing with the Clerk of the court via CM/ECF, which will send notice of electronic filing to all counsel of record.

COLE, SCOTT & KISSANE, P.A.
*Counsel for Plaintiffs, DAVID A. PHILLIPS,
JOSPEPH J. AZZATA, JOSEPH T. AZZATA,
and other similarly situated individuals,*
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By: s/ Steven L. Ehrlich
STEVEN L. ERHLICH
Florida Bar No: 91409
FRANKLIN JARA
Florida Bar No.: 636681

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

DAVID PHILLIPS, et al.

CASE NUMBER
9:24-cv-80760-RLR

PLAINTIFF(S)

v.

LOUIS SITARAS, et al.,

DEFAULT BY CLERK F.R.Civ.P.55(a)

DEFENDANT(S).

Clerk's Default

It appearing that the defendant(s) herein, is/are in default for failure to appear, answer, or otherwise plead to the complaint filed herein within the time required by law.

Default is hereby entered against defendant(s)

**Salvatore Lantieri
J L M S Holdings, LLC**

as of course, on the date August 9, 2024.

**Angela E. Noble
CLERK OF COURT**

By /s/ Patricia Curtis
Deputy Clerk

cc: Judge Robin L. Rosenberg
David Phillips

DEFAULT BY CLERK F.R.Civ.P.55(a)